

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

1. (Previously Presented): A Group III nitride semiconductor element comprising a substrate; a first nitride semiconductor layer composed of AlN single crystal having a thickness of .005 to .5  $\mu\text{m}$  which is provided on the substrate; a second nitride semiconductor layer composed of

$\text{Al}_{x_1}\text{Ga}_{1-x_1}\text{N}$  ( $0 < x_1 \leq 0.05$ ) which is provided on the first nitride semiconductor layer; and a third nitride semiconductor layer composed of  $\text{Al}_{x_2}\text{Ga}_{1-x_2}\text{N}$  ( $0 < x_2 < 1$  and  $x_1 + 0.02 \leq x_2$ ) which is provided on the second nitride semiconductor layer.

2. (Original): A Group III nitride semiconductor element according to claim 1, wherein said substrate is selected from a group consisting of sapphire single crystal, Si single crystal, SiC single crystal, AlN single crystal, and GaN single crystal.

3. (Previously Presented): A Group III nitride semiconductor element according to claim 1, wherein said second nitride semiconductor layer is formed of an island-like structure in which crystals of different heights are arranged so as to be separated from one another.

4. (Previously Presented): A Group III nitride semiconductor element according to claim 3, wherein the Al content of said second nitride semiconductor layer differs from region to region of the island-like structure.

5. (Cancelled).

6. (Currently Amended): A Group III nitride semiconductor element according to claim 1, wherein said second nitride semiconductor layer is composed of  $\text{Al}_{x1}\text{Ga}_{1-x1}\text{N}$  ( $0 < x1 \leq 0.2$ )  $\text{Al}_{x1}\text{Ga}_{1-x1}\text{N}$  ( $0 < x1 \leq 0.02$ ).

7. (Previously Presented): A Group III nitride semiconductor element according to claim 1, wherein said second nitride semiconductor layer has a thickness of 1 to 500 nm.

8. (Original): A Group III nitride semiconductor element according to claim 7, wherein said second nitride semiconductor layer has a thickness of 1 to 400 nm.

9. (Original): A Group III nitride semiconductor element according to claim 8, wherein said second nitride semiconductor layer has a thickness of 1 to 300 nm.

10. (Previously Presented): A Group III nitride semiconductor element according to claim 1, wherein said second nitride semiconductor layer is composed of an undoped semiconductor.

11. (Previously Presented): A Group III nitride semiconductor light-emitting device comprising a Group III nitride semiconductor element according to claim 1; a fourth nitride semiconductor layer provided on said third nitride semiconductor layer of said semiconductor element, said fourth nitride semiconductor layer including an n-type layer, a light-emitting layer, and a p-type layer, which are successively formed atop said third nitride semiconductor layer in this order; a negative electrode provided on said n-type layer; and a positive electrode provided on said p-type layer.

12. (Original): A light-emitting diode comprising a Group III nitride semiconductor light-emitting device according to claim 11.

13. (Original): A laser diode comprising a Group III nitride semiconductor light-emitting device according to claim 11.

14. (Previously Presented): A semiconductor device comprising a Group III nitride semiconductor element according to claim 1.

15. (Cancelled).

16. (Currently Amended): A Group III nitride semiconductor element according to claim 4, wherein the second nitride semiconductor layer has a region having a lower Al content at a position closer to the substrate and a higher Al content at a position ~~further~~ farther from the substrate.